

Message

**From:** Henry, Tala [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8BFC0A617A4A43BAA8856541C70622BE-THENRY02]  
**Sent:** 6/10/2021 7:19:26 PM  
**To:** Pierce, Alison [Pierce.Alison@epa.gov]  
**CC:** Schmit, Ryan [schmit.ryan@epa.gov]  
**Subject:** RE: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

Yes, I can talk to Michal at 3:30

Tala R. Henry, Ph.D.  
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**From:** Pierce, Alison <Pierce.Alison@epa.gov>  
**Sent:** Thursday, June 10, 2021 3:09 PM  
**To:** Henry, Tala <Henry.Tala@epa.gov>  
**Cc:** Schmit, Ryan <schmit.ryan@epa.gov>  
**Subject:** RE: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

One more volley back from Michal below – this time on whether OCSPP has a preferred PFAS definition for TA going forward (a question from OW).

Might be worth just talking about at the 3:30 IO leadership meeting. There's some muddling that's happening here that it might be better to just talk through/directly with Michal about.

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Alison Pierce  
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**From:** Hanley, Mary <Hanley.Mary@epa.gov>  
**Sent:** Thursday, June 10, 2021 2:59 PM  
**To:** Pierce, Alison <Pierce.Alison@epa.gov>  
**Subject:** FW: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

MF suggests **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP) Does this response work for OPPT?

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**From:** Freedhoff, Michal <Freedhoff.Michal@epa.gov>  
**Sent:** Thursday, June 10, 2021 2:57 PM  
**To:** Hanley, Mary <Hanley.Mary@epa.gov>  
**Subject:** RE: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

They should **Ex. 5 Deliberative Process (DP)**

**Deliberative Process / Ex. 5** Congress has also used the following

(iv) PERFLUOROALKYL SUBSTANCE.— 8 The term “perfluoroalkyl substance” means a manmade chemical of which all of the carbon atoms are fully fluorinated carbon atoms. (v) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a manmade chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

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**From:** Hanley, Mary <[Hanley.Mary@epa.gov](mailto:Hanley.Mary@epa.gov)>  
**Sent:** Thursday, June 10, 2021 2:49 PM  
**To:** Freedhoff, Michal <[Freedhoff.Michal@epa.gov](mailto:Freedhoff.Michal@epa.gov)>  
**Subject:** RE: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

OW is asking whether OCSPP has a preferred PFAS definition. I understand that OECD’s may still be in flux and the suggestion is to have them check back going forward. Do you have a preference. Maybe say **Ex. 5 Deliberative Process (DP)** as well?

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**From:** Freedhoff, Michal <[Freedhoff.Michal@epa.gov](mailto:Freedhoff.Michal@epa.gov)>  
**Sent:** Thursday, June 10, 2021 1:58 PM  
**To:** Hanley, Mary <[Hanley.Mary@epa.gov](mailto:Hanley.Mary@epa.gov)>  
**Subject:** RE: DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

1. **Deliberative Process / Ex. 5**
2. **Ex. 5 Deliberative Process (DP)**
- 3.

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**From:** Hanley, Mary <[Hanley.Mary@epa.gov](mailto:Hanley.Mary@epa.gov)>  
**Sent:** Thursday, June 10, 2021 1:49 PM  
**To:** Freedhoff, Michal <[Freedhoff.Michal@epa.gov](mailto:Freedhoff.Michal@epa.gov)>  
**Subject:** DUE COB FW: Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

Hi. OCSPP was enlisted yesterday afternoon to review this TA with a focus on the PFAS definition on page 3. This is due to OW by COB today to send to their DAA. The bill amends the SDWA and the Water Pollution Control Act to provide financial assistance to states for PFAS testing and to provide for remediation. OPPT’s response below indicates that the **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**  
**Deliberative Process / Ex. 5** Please advise.

# Ex. 5 Deliberative Process (DP)

## REFERENCES

1. OPPT working definition: R-CF<sub>2</sub>-CFR'R" where the R's do not equal H
2. OECD definition: substance contains a CF<sub>2</sub> or CF<sub>3</sub>
3. "EPA Technical Assistance to Sen. Shaheen on PFAS Testing and Treatment Act of 2021" doc

“(a) Definitions.—In this section:

\* \* \*

“(2) COVERED PERFLUOROALKYL SUBSTANCE.—The term ‘covered perfluoroalkyl substance’ means—

“(A) perfluorooctanoic acid (commonly referred to as ‘PFOA’) (Chemical Abstracts Service No. 335–67–1);

“(B) the salts associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 3825–26–1, 335–95–5, and 68141–02–6);

“(C) perfluorooctane sulfonic acid or sulfonate (commonly referred to as ‘PFOS’) (Chemical Abstracts Service No. 1763–23–1); and

“(D) the salts associated with the chemical described in subparagraph (C) (Chemical Abstracts Service Nos. 2795–39–3, 29457–72–5, 56773–42–3, 29081–56–9, and 70225–14–8).

What’s specifically covered, as written:

- PFOA/perfluorooctanoic acid (Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-", CASRN 335–67–1)
- At least three salts of PFOA:
  - 3825–26–1 – ammonium salt of PFOA (“Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, ammonium salt (1:1)”)
  - 335–95–5 – sodium salt of PFOA (“Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, sodium salt (1:1)”)
  - 68141–02–6 – chromium 3+ salt of PFOA (“Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, chromium(3+) salt (3:1)”)
  - Possibly other salts
- PFOS/perfluorooctane sulfonic acid (“1-Octanesulfonic acid, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-", CASRN 1763–23–1)
- At least five salts of PFOS:
  - 2795–39–3 – potassium salt of PFOS (“1-Octanesulfonic acid, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-, potassium salt (1:1)”)
  - 29457–72–5 – lithium salt of PFOS (“1-Octanesulfonic acid, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-, lithium salt (1:1)”)
  - 56773–42–3 – triethylethanaminium salt of PFOS (“Ethanaminium, N,N,N-triethyl-, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-1-octanesulfonate (1:1)”)
  - 29081–56–9 – ammonium salt of PFOS (“1-Octanesulfonic acid, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-, ammonium salt (1:1)”)
  - 70225–14–8 – diethanolamine salt of PFOS (“1-Octanesulfonic acid, 1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-heptadecafluoro-, compd. with 2,2'-iminobis[ethanol] (1:1)”)

- Possibly other salts

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**From:** Spraul, Greg <[Spraul.Greg@epa.gov](mailto:Spraul.Greg@epa.gov)>

**Sent:** Wednesday, June 9, 2021 10:34 AM

**To:** Corr, Elizabeth <[Corr.Elizabeth@epa.gov](mailto:Corr.Elizabeth@epa.gov)>; Anderson, William <[Anderson.William@epa.gov](mailto:Anderson.William@epa.gov)>; Keller, Melanie <[Keller.Melanie@epa.gov](mailto:Keller.Melanie@epa.gov)>; Foster, Stiven <[Foster.Stiven@epa.gov](mailto:Foster.Stiven@epa.gov)>; Linkins, Samantha <[Linkins.Samantha@epa.gov](mailto:Linkins.Samantha@epa.gov)>; Hanley, Mary <[Hanley.Mary@epa.gov](mailto:Hanley.Mary@epa.gov)>; Richmond, Jonah <[Richmond.Jonah@epa.gov](mailto:Richmond.Jonah@epa.gov)>

**Cc:** Klasen, Matthew <[Klasen.Matthew@epa.gov](mailto:Klasen.Matthew@epa.gov)>; Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>

**Subject:** Last call - due COB 6/10 - Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

All,

Thank you for all of your hard work on this TA! This is the last call before I send this TA to OW's DAA for approval. Please provide any additional edits to the shared file by COB tomorrow.

OCSPP - I am adding you to this group because of your work on PFAS definition provisions in other TA work products. Please look at how PFAS are defined on page 3 and let us know if you have any TA input on the drafter's construct.

OLEM – please double check that you are ok with ORD's comment on Page 3 in turquoise highlight.

OWM/OGWDW – This version is basically the same as the one Elizabeth sent around on June 7. I fixed a few typos.

OCIR – you have an early preview of this consolidated TA, please let me know if you have any concerns.

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**From:** Corr, Elizabeth <[Corr.Elizabeth@epa.gov](mailto:Corr.Elizabeth@epa.gov)>

**Sent:** Monday, June 7, 2021 4:28 PM

**To:** Spraul, Greg <[Spraul.Greg@epa.gov](mailto:Spraul.Greg@epa.gov)>

**Cc:** Anderson, William <[Anderson.William@epa.gov](mailto:Anderson.William@epa.gov)>; Keller, Melanie <[Keller.Melanie@epa.gov](mailto:Keller.Melanie@epa.gov)>; Foster, Stiven <[Foster.Stiven@epa.gov](mailto:Foster.Stiven@epa.gov)>; Linkins, Samantha <[Linkins.Samantha@epa.gov](mailto:Linkins.Samantha@epa.gov)>

**Subject:** Consolidated TA doc for Sen. Shaheen Emerging Contaminants/PFAS bill

Attached is the combined OGWDW-OWM-OLEM TA doc. OWM's (WID) is approved by Andrew and OGWDW's by Jennifer. OLEM and ORD's TA has been cleared by their respective chains and is shown here for convenience. (OGWDW and OWM have reconciled comments with OLEM where needed based on discussion with Melanie and Stiven.)

Much of OGWDW's TA is embedded in the SDWA language version that Matt provided below the draft bill.

Thanking everyone and LMK if questions.